UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,950	11/09/2003	Chih-Wen Huang	17657.26a	2949

22913   7590   08/10/2009
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

EXAMINER
SAEED, USMAAN

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/605,950	HUANG, CHIH-WEN
	Examiner	Art Unit
	USMAAN SAEED	2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 March 2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-15,17-23,25-32 and 42-48* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-15,17-23,25-32 and 42-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>07/07/2008</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Receipt of Applicant's Amendment, filed 03/26/2009 is acknowledged.

Claims 1, 7, and 25 have been amended and claims 3, 16, 24, and 33-41 are

cancelled. New claims 42-48 are added.

35 USC § 112 (Remarks)

2.   The amended claims received on 03/26/2009, are acceptable to overcome the

112 rejections.

Information Disclosure Statement

3.   Applicants' Information Disclosure Statement, filed on 07/07/2008 has been

received, entered and considered. See attached form PTO-1449.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4-14, 19-21, 23, 25-30, 32, and 42-48 are rejected under 35 U.S.C.

103(a) as being unpatentable over **Jones et al. (Jones** hereinafter) (U.S. PG PUB No.

2002/0118949) in view of **Dan Huang. (Huang** hereinafter) (U.S. PG Pub No.

2004/0098379).

With respect to claim 1, **Jones** teaches **a file managing method comprising:**

"a selection of an operational mode of the digital apparatus" as the still

image source 101 is expect to provide a digital representation. A source of digital video

content 105. An audio content, which can be associated with the video source 105 (as

is often the case) or associated with the still image source 101 (as is becoming

increasingly common with digital cameras and the short video clips often created by still

image cameras), or which provide stand-alone audio information (**Jones** Paragraph

0022).

"capturing a file with the digital apparatus and storing the captured file

according to its file type in the folder having the file type determined to the

selected operational mode" as the HP PhotoSmart 912 camera captures 2.24

megapixel still images and can add audio annotations. The Fuji Finepix 40i camera

takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite

compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture

Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

An output from the digital processor 117 is created in folders (sub-directories)

complying with the CD-ROM(XA) and Video CD (White Book) standards and also

includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with

the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1

standard), an "AUDIO" folder (with files compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027 and 0022).

Jones teaching the elements of claim 1 as noted above but does not explicitly teaches, **"establishing a folder in a memory of a digital apparatus and responsive to the mode selection, the folder having a file type determined to the selected operational mode."**

However, **Huang** teaches **"establishing a folder in a memory of a digital apparatus and responsive to the mode selection, the folder having a file type determined to the selected operational mode and storing in the memory of the digital apparatus"** as the repository management unit handles where imported files are placed and can generate appropriate folder structure based on the attributes of the files, such as file type (audio, image, or audio) and file date (**Jones** Paragraph 0025).
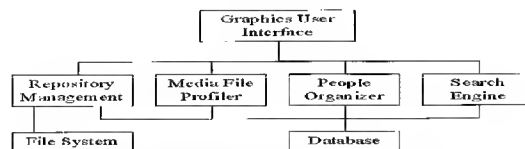

Fig. 4
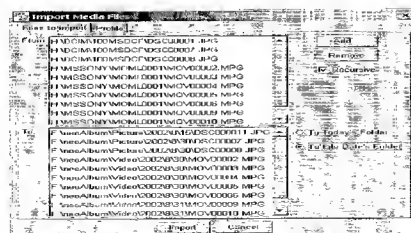

Fig. 5

Further, figure 5 of **Huang** shows that the camera has a folder at

H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files.

Therefore, the camera has different folders for different types of files.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Huang's**

teachings would have allowed **Jones** to organize and manage digital audio, image and

video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file

types such as my pictures and my videos (**Huang** Paragraph 0065).

With respect to claim 2, **Jones** teaches **"utilizing corresponding applications**

to open the captured file according to a name of the established folder" as (**Jones**

Paragraph 0005 and Figure 1A).

With respect to claim 4, **Jones** teaches **"wherein the operational mode**

comprises a picture mode" as the HP PhotoSmart 912 camera captures 2.24

megapixel still images and can add audio annotations. The Fuji Finepix 40i camera

takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite

compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture

Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

Claim 26 is essentially the same as claim 4 except it sets forth the claimed

invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 5, **Jones** teaches **"wherein the operational mode comprises a motion picture mode"** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

Claim 27 is essentially the same as claim 5 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 6, **Jones** teaches **"wherein the operational mode comprises a recording mode"** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

Claim 28 is essentially the same as claim 6 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 7, **Jones** teaches **"a method for managing files in a digital apparatus, the method comprising:**

"determining an operation mode of the digital apparatus that has a plurality of operational modes, wherein the operational mode is associated with a file type" as the still image source 101 is expect to provide a digital representation. A source of digital video content 105. An audio content, which can be associated with the video source 105 (as is often the case) or associated with the still image source 101 (as is becoming increasingly common with digital cameras and the short video clips often created by still image cameras), or which provide stand-alone audio information (**Jones** Paragraph 0022).

"capturing a file with the digital apparatus wherein the file has the file type corresponding to the operational mode and storing the captured file in a folder, the folder corresponding to the file type of the captured file when data is captured by the digital apparatus" as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016). An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an

"AUDIO" folder (with files compatible with the WAV standard), and, optionally, an

"OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph

0027).

The folders are being created automatically according to the file types (audio,

video or sound), which are being captured by the digital apparatus.

Jones teaching the elements of claim 7 as noted above but does not explicitly

teaches, **"storing the captured file in a folder in a memory of the digital apparatus,**

the folder corresponding to the file type of the captured file."

However, **Huang** teaches **"storing the captured file in a folder in a memory**

of the digital apparatus, the folder corresponding to the file type of the captured

file" as the repository management unit handles where imported files are placed and

can generate appropriate folder structure based on the attributes of the files, such as file

type (audio, image, or audio) and file date (**Jones** Paragraph 0025).

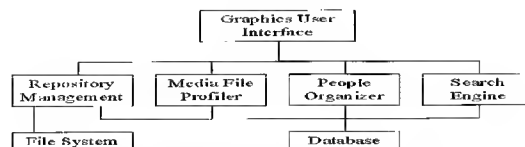Patent Application Publication   May 20, 2004   Sheet 4 of 6   US 2004/0098379 A1
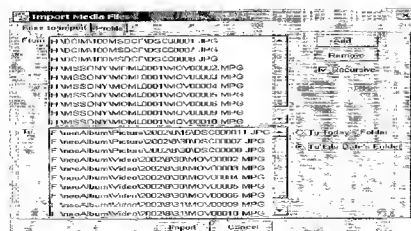
Fig. 4

Fig. 5

Further, figure 5 of **Huang** shows that the camera has a folder at

H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files.

Therefore, the camera has different folders for different types of files.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Huang's**

teachings would have allowed **Jones** to organize and manage digital audio, image and

video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file

types such as my pictures and my videos (**Huang** Paragraph 0065).

With respect to claim 8, **Jones** teaches **"utilizing an image capturing module**

to capture image data, and automatically establishing the folder corresponding to

the file type of the image data" as the HP PhotoSmart 912 camera captures 2.24

megapixel still images and can add audio annotations. The Fuji Finepix 40i camera

takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite

compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture

Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016). An output from the

digital processor 117 is created in folders (sub-directories) complying with the CD-

ROM(XA) and Video CD (White Book) standards and also includes, in a preferred

embodiment, a "PICTURES" folder (with files compatible with the PictureCD

specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an

"AUDIO" folder (with files compatible with the WAV standard), and, optionally, an

"OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph

0027).

Jones teaching the elements of claim 8 as noted above but does not explicitly

teaches **"automatically establishing the folder corresponding to the file type of the**

image."

However, **Huang** teaches **"automatically establishing the folder**

corresponding to the file type of the image" as the repository management unit

handles where imported files are placed and can generate appropriate folder structure

based on the attributes of the files, such as file type (audio, image, or audio) and file
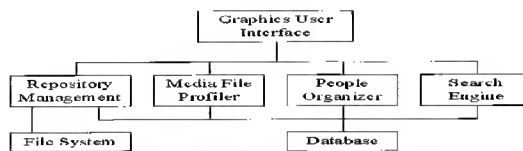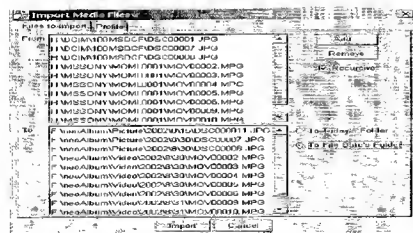
date (**Jones** Paragraph 0025).

Further, figure 5 of **Huang** shows that the camera has a folder at

H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files.

Therefore, the camera has different folders for different types of files.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Huang's**

teachings would have allowed **Jones** to organize and manage digital audio, image and

video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file

types such as my pictures and my videos (**Huang** Paragraph 0065).

With respect to claim 9, **Jones** teaches **"utilizing a recording module to**

capture sound data, and automatically establishing the folder corresponding to

the file type of the sound data" as the HP PhotoSmart 912 camera captures 2.24

megapixel still images and can add audio annotations. The Fuji Finepix 40i camera

takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite

compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture

Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016). An output from the

digital processor 117 is created in folders (sub-directories) complying with the CD-

ROM(XA) and Video CD (White Book) standards and also includes, in a preferred

embodiment, a "PICTURES" folder (with files compatible with the PictureCD

specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an

"AUDIO" folder (with files compatible with the WAV standard), and, optionally, an

"OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph

0027).

Jones teaching the elements of claim 9 as noted above but does not explicitly

teaches, **"automatically establishing the folder corresponding to the file type of**

the sound."

However, **Huang** teaches **"automatically establishing the folder**

corresponding to the file type of the sound" as the repository management unit

handles where imported files are placed and can generate appropriate folder structure

based on the attributes of the files, such as file type (audio, image, or audio) and file

date (**Jones** Paragraph 0025).

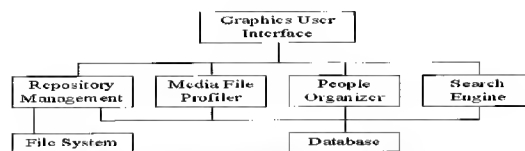Patent Application Publication   May 20, 2004   Sheet 4 of 6   US 2004/0098379 A1

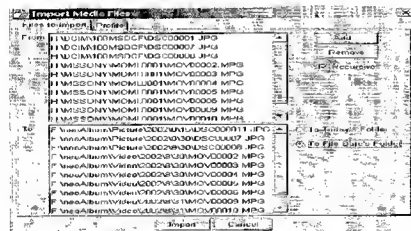Fig. 4

Fig. 5

Further, figure 5 of **Huang** shows that the camera has a folder at

H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files.

Therefore, the camera has different folders for different types of files.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Huang's**

teachings would have allowed **Jones** to organize and manage digital audio, image and video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file types such as my pictures and my videos **(Huang** Paragraph 0065).

With respect to claim 10, **Jones** teaches **"wherein storing the captured file according to its file type comprises comparing the name of the folder established responsive to selecting the operational mode with a file name extension of the captured file"** as (Jones Paragraph 0027-0028).

With respect to claims 11, 12, 13 and 14, **Jones** does not explicitly teaches **"setting up a shortcut to transmit the captured file in the established folder to a corresponding folder having the same file type as the established folder in another digital apparatus when the shortcut is executed, when the shortcut is executed, all files of the same file type stored in the established folder are transmitted to the corresponding folder in the other digital apparatus, the shortcut is executed by a hot key, and other digital apparatus is a computer."**

However, **Huang** discloses **"setting up a shortcut to transmit the file in the corresponding folder to another digital apparatus when the shortcut is executed, when the shortcut is executed, all files of the same file type stored in the corresponding folder are transmitted to the other digital apparatus, the shortcut is executed by a hot key, and other digital apparatus is a computer"** as Typical usage begins with importing files from external devices, such as a digital camera. As

shown in FIG. 5, when the user selects folders with "recursive" check box on, the

system finds all the media files in the folders and subfolders and generates a list of file

paths to copy the files to. The user has the options to use today's date or the file dates

for the system to construct the paths. The "Profile" tab, as depicted in FIG. 6, shows

several attributes that the user can associate all of the imported files to (**Huang**

Paragraph 0026).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Huang's**

teachings would have allowed **Jones** to organize and manage digital audio, image and

video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file

types such as my pictures and my videos (**Huang** Paragraph 0065).

Claim 29 is essentially the same as claims 11, 12, and 13 except it set forth the

claimed invention as an apparatus and is rejected for the same reasons as applied

hereinabove.

With respect to claims 19 and 20, **Jones** does not explicitly teaches

"automatically establishing a corresponding folder in the other digital apparatus

having the same file type as the established folder when transmitting the files

stored in the established folder to the other digital apparatus and the other digital

apparatus comprise a computer."

However, **Huang** discloses **"automatically establishing a folder in the other digital apparatus corresponding to the file type when transmitting the files stored in the corresponding folder to the other digital apparatus and the other digital apparatus comprise a computer"** as the system automatically determine where and how the files are to be copied. Figure one shows the importation file process. Once a group of files are selected for import, the process begins by getting the next file on the import list 110. The system then determines the file type, that is, whether the file type is an audio file or a picture file or a video file 112. The system then finds a file date or assigns a file date 114. The system then constructs a destination path based on file type and the date assigned 116. The date assigned can be the file importation date or the file creation date. The file name conflict is resolved preferably by appending a number to the end of the file name 118. The file can then be copied into the destination folder 120. (**Huang** Paragraph 0020).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Huang's** teachings would have allowed **Jones** to organize and manage digital audio, image and video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file types such as my pictures and my videos automatically when they are imported (**Huang** Paragraph 0065).

With respect to claim 21, **Jones** teaches **"wherein the digital apparatus comprises a digital camera"** as the HP PhotoSmart 912 camera captures 2.24

megapixel still images and can add audio annotations. The Fuji Finepix 40i camera

takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite

compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture

Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

Claim 30 is essentially the same as claim 21 except it sets forth the claimed

invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 23, **Jones** teaches **"wherein the digital apparatus**

comprises a digital camcorder" as similarly a consumer today can buy a film camera

or a video camcorder (even a digital video camcorder) and happily use it without any

knowledge of computers (**Jones** Paragraph 005).

Claim 32 is essentially the same as claim 23 except it sets forth the claimed

invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 25, **Jones** teaches **"a digital apparatus with a plurality**

of operational modes, the digital apparatus comprising: a receiving module for

capturing a file; a control module for switching the plurality of operational modes

of the digital apparatus to a particular operational mode; a memory having a

folder, the folder corresponding to a file type associated with the particular

operational mode; and a memory module for storing the file captured by the

receiving module according to its file type to the folder in the memory having the

file type" as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and

can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80

second quarter-VGA video files with sound (that are quite compelling when viewed on a

television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3

Audio) player (**Jones** Paragraph 0016 and 0022). An output from the digital processor

117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video

CD (White Book) standards and also includes, in a preferred embodiment, a

"PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS"

folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files

compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files

otherwise compatible with ISO 9660) (**Jones** Paragraph 0027). Today's digital cameras

use either built-in or removable memory. Inexpensive cameras typically offer a few

megabytes of built-in memory, and more expensive cameras have a slot for

CompactFlash, SmartMedia, Memory Stick, or similar large memory capacity modules

(**Jones** Paragraph 0016).

      Jones teaches the elements of claim 25 as noted above but does not explicitly

teaches, **"the folder corresponding to a file type associated with the particular**

operational mode of the digital apparatus."

      However, **Huang** teaches **"the folder corresponding to a file type associated**

with the particular operational mode of the digital apparatus" as the repository

management unit handles where imported files are placed and can generate

appropriate folder structure based on the attributes of the files, such as file type (audio, image, or audio) and file date (**Jones** Paragraph 0025).

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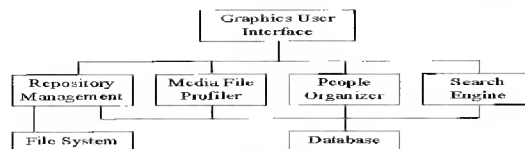
Fig. 4

Fig. 5

Further, figure 5 of **Huang** shows that the camera has a folder at H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files. Therefore, the camera has different folders for different types of files.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Huang's** teachings would have allowed **Jones** to organize and manage digital audio, image and video file (**Huang** Paragraph 0017) by auto generation of folder structures, based on file types such as my pictures and my videos (**Huang** Paragraph 0065).

Claims 42-48 are same as claims 1-2, 4-14, 19-21, 23, 25-30, and 32 and are rejected for the same reasons as applied hereinabove.

5.   Claims 15, 17-18, 22, and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Jones et al.** (U.S. PG PUB No. 2002/0118949) in view of **Dan

Huang**. (U.S. PG Pub No. 2004/0098379) as applied to claims 1-2, 4-14, 19-21, 23, 25-

30, and 32-41 above, further in view of **Ronald M. Perkes**. (**Perkes** hereinafter)

(U.S.PG Pub No. 2003/0110503).

With respect to claims 15, 17, and 18 **Jones and Huang** do not explicitly teach,

**"the files stored in the established folder are transmitted to the corresponding

folder of the other digital apparatus using wireless network transmission, the

wireless network transmission comprises infrared transmission, and the files

stored in the established folder are transmitted to the corresponding folder of the

other digital apparatus using a cable."**

However, **Perkes** discloses, **"the files stored in the established folder are

transmitted to the corresponding folder of the other digital apparatus using

wireless network transmission, the wireless network transmission comprises

infrared transmission, and the files stored in the established folder are

transmitted to the corresponding folder of the other digital apparatus using a

cable"** as the present invention optionally utilizes at the consumer end a computing

based Appliance with continuous Internet access, such as a DSL, wireless or cable

connection (**Perkes** Paragraph 0037). In most wireless systems, radio frequency (RF)

or infrared transmission (IR) waves are used (**Perkes** Paragraph 0197). Bluetooth is a

computing and telecommunications industry specification that describes how mobiles phones, computers, and personal digital assistants (PDA's) can easily interconnect with each other and with home and business phones and computers using a short-range wireless connection (**Perkes** Paragraph 0200).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Perkes's** teachings would have allowed **Jones and Huang** to provide easy and reliable connection, which enables the digital apparatuses to communicate with other digital apparatuses or other Internet accessible appliances (**Perkes** Paragraph 0035).

With respect to claim 22, **Jones and Huang** do not explicitly teach, **"wherein the digital apparatus comprises a mobile phone."**

However, **Perkes** discloses **"the method of claim 1, wherein the digital apparatus comprises a mobile phone"** as Bluetooth is a computing and telecommunications industry specification that describes how mobiles phones, computers, and personal digital assistants (PDA's) can easily interconnect with each other and with home and business phones and computers using a short-range wireless connection (**Perkes** Paragraph 0200).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Perkes's** teachings would have allowed **Jones** to organize, publish, distribute (collectively

broadcasting) and displaying digital media such as digital audio, digital video, digital

photos in a seamless and easily navigable viewing (**Perkes** Paragraph 0077).

Claim 31 is essentially the same as claim 22 except it sets forth the claimed

invention as an apparatus and is rejected for the same reasons as applied hereinabove.

Response to Arguments

6.   Applicant's arguments filed 03/26/2009 have been fully considered but they are

not persuasive.

In these arguments applicant relies on the amended claims and not the original

ones.

Applicant argues that Jones and Huang do not teach or suggest **"establishing a

folder in a memory of a digital apparatus and responsive to a selection of an

operational mode of the digital apparatus, the folder having a file type determined

according to the selected operational mode."**

In response to the preceding arguments examiner respectfully submits that

Jones teaches **"a selection of an operational mode of the digital apparatus"** as the

still image source 101 is expect to provide a digital representation. A source of digital

video content 105. An audio content, which can be associated with the video source

105 (as is often the case) or associated with the still image source 101 (as is becoming

increasingly common with digital cameras and the short video clips often created by still

image cameras), or which provide stand-alone audio information (**Jones** Paragraph

0022). **"establishing folders having a file type"** as an output from the digital

processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA)

and Video CD (White Book) standards and also includes, in a preferred embodiment, a

"PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS"

folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files

compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files

otherwise compatible with ISO 9660) (**Jones** Paragraph 0027 and 0022).

Therefore these lines teach a digital apparatus having image, audio, video and

data processing capabilities. These lines also teach output of from this digital apparatus

is created in different folders with different types of data and is being stored on a

memory.

Jones teaches the elements of the argued limitation but does not explicitly

disclose **"establishing a folder in a memory of a digital apparatus and responsive**

to the mode selection, the folder having a file type determined to the selected

operational mode."

However, **Huang** teaches **"establishing a folder in a memory of a digital**

apparatus and responsive to the mode selection, the folder having a file type

determined to the selected operational mode and storing in the memory of the

digital apparatus" as the repository management unit handles where imported files are

placed and can generate appropriate folder structure based on the attributes of the files,

such as file type (audio, image, or audio) and file date (**Jones** Paragraph 0025).
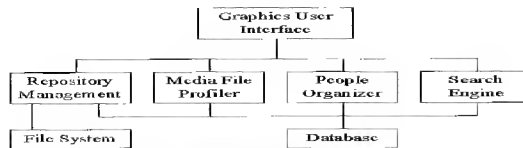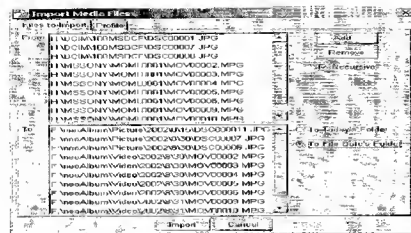
Fig 4

Fig. 5

Further, figure 5 of **Huang** shows that the camera has a folder at

H:\DCIM\100MSDCF for .JPG files and H:\MSSONY\MOML0001 for .MPG files. The

memory of the digital apparatus contains different folders based on the different types of

modes of the digital apparatus. Therefore, based on the selection of the mode the

types of files will be stored in a folder according to the file type for that mode.

Therefore the combination of Jones, which teaches a digital apparatus having

image, audio, video and data processing capabilities and digital apparatus creating

different folders with different types of data and Huang, which teaches the memory of

the digital apparatus having different folders based on the different types of data created

by different modes of the digital apparatus as teaching the claimed invention as a

whole.

Conclusion

7.　　**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

8.　　Any inquiry concerning this communication or earlier communications from the

examiner should be directed to USMAAN SAEED whose telephone number is

(571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Usmaan Saeed/   Usmaan Saeed
Examiner, Art Unit 2166   Patent Examiner
August 4, 2009   Art Unit: 2166

/Mohammad Ali/

Supervisory Patent Examiner, Art Unit 2158